

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re)
) Case No. _____
)
) NOTICE OF APPLICATION FOR
) **(Mark One)** INITIAL
) SUPPLEMENTAL/ADDITIONAL
) COMPENSATION FOR CH. 12
Debtor(s)) DEBTOR'S ATTORNEY

The debtor's attorney named below has applied for compensation from debtor's estate as marked above for legal services rendered in the sum of \$_____; now, therefore,

NOTICE IS GIVEN that unless within 21 days of the service date below an interested party BOTH: (1) FILES a written objection, setting forth the specific grounds for such objection, with the Clerk of Court (i.e., if the 5-digit portion of the Case No. begins with "3" or "4", mail to 1001 SW 5th Ave. #700, Portland OR 97204; OR if it begins with "6" or "7", mail to 405 E 8th Ave #2600, Eugene OR 97401), AND (2) SERVES copies thereof on the debtor's attorney, U.S. Trustee, and Trustee, _____, whose service address is: _____, the debtor's attorney may submit an order allowing compensation requested above.

(NOTE: UNLESS an order is submitted AND signed, the trustee will not pay the requested compensation!)

Type or Print Debtor's Attorney's Name

Attorney's Service Address

Telephone Number

I certify that on _____ copies of this Notice and [Local Form #1214](#) were served on the debtor(s), trustee, and U.S. Trustee; and a copy of only this Notice was served on all creditors if required by FRBP 2002(a)(6) (or if original time to file claims has expired, only on creditors who filed claims and entities that filed a request to receive all case notices).

Signature of Party Giving Notice

Signer's Relationship to Applicant

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re) Case No. _____
)
) APPLICATION FOR CHAPTER 12
) **(Mark One)** INITIAL
) SUPPLEMENTAL/ADDITIONAL
Debtor(s)) COMPENSATION OF ATTORNEY
) FOR DEBTOR

The applicant, _____, by and through the undersigned, pursuant to 11 USC §331 and LBR 2016-1, applies for compensation as marked above for the period from _____ to _____, and certifies the following is true and correct:

1. The following pre-filing compensation has been received in connection with this case (indicate date, amount, payer, payer's relation to case, and description for all monies and any other consideration received):

2. Applicant requests allowance of compensation for: Legal Services of \$_____; Expenses of \$_____; for a Total of \$_____.

3. Applicant's prior requests for compensation in this case are as follows:

<u>Date of Application</u>	<u>Amount Requested</u>		<u>Amount Allowed</u>		<u>Amount Received</u>		<u>Payment Source</u>
	Fees	Expenses	Fees	Expenses	Fees	Expenses	

TOTALS: \$_____ \$_____ \$_____ \$_____ \$_____ \$_____

4. Applicant has not shared or agreed to share any compensation received or to be received for services rendered in connection with this case, except with a regular member, partner or associate of Applicant's firm.

5. The rate of compensation, number of hours and requested fee for each person included in this application are summarized as follows:

<u>Timekeeper</u> <u>(name & initials)</u>	<u>Title</u>	<u>Hourly</u> <u>Rate</u>	<u>Number</u> <u>Of Hours</u>	<u>Requested</u> <u>Fee</u>
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6. Attached and incorporated herein by reference are the following schedules (check those that apply):

Schedule A - A narrative summary of services provided including total hours and resulting benefits to the estate of each activity category. [Preferred, but only mandatory if application exceeds \$3,000.]

Schedule B - [If this is the Initial Application for Compensation] A brief narrative and itemization detailing all case related PRE-PETITION fees. [Itemization mandatory; narrative mandatory if compensation requested in the application exceeds \$3,000.]

Schedule C - An itemized billing setting forth a description of each event, including the date, amount of time spent, and name of the person performing each event. **[Mandatory]**

7. Applicant's expense reimbursement requests do not exceed the sums specified in LBR 2016-1, except to the extent specifically explained below:

8. On _____ copies of this Application, all attachments thereto, and the required Notice of Application [prepared on [Local Form #1214.5](#)] were served on the debtor(s), trustee, and U.S. Trustee; and a separate copy of only the Notice was served on all creditors if required by FRBP 2002(a)(6) (or if original time to file claims has expired, only on creditors who filed claims and entities that filed a request to receive all case notices).

DATED: _____

Signature

Signer's Name and Phone #

Address

Schedule A
Summary of Activity Categories
Sobella Nursery, Inc
Case No. 17-34449-dhw12 (lead case)

Interim Services Entries. These activity categories include all the time spent during the period of the day of filing (November 30, 2017) through the date of filing of the Debtors' Application to Employ (December 11, 2017):

- a. Schedule Preparation .5
- b. First Day Motions 4.7
- c. Employment of Professionals .6
- d. General Bankruptcy Matters 3.9

Hours: 9.7

1. General Bankruptcy Matters. Hours: 14.7

This activity category includes all services of a miscellaneous nature which do not fit specifically into a more defined activity category. It includes such activities as receiving calls from creditors in the case, telephone calls from various other attorneys or interested parties, review of the monthly reports, review of various pleadings, etc.

2. Schedule Preparation /Amendments: Hours: 3.4

This activity category contains the time spent preparing the Debtor's schedules and any amendments, including but not limited to reviewing appropriate source documents, preparing spreadsheets, and drafting and revising the schedules.

3. First Day Motions. Hours: 7.5

This category contains the time spent preparing the first day motions, including motions for use of Cash Collateral, payroll motion; and utility providers motion; attending hearings and presenting argument in support of the first day motions; preparing orders approving the various Motions and negotiations with the various interested parties.

4. Employment of Professionals and Fee Applications. Hours: 8.4

This activity category includes the time spent preparing applications for employment and the relating supporting affidavits for the Professionals in the case. It also includes time spent related to preparing and filing fee applications.

5. Plan and Confirmation Matters. Hours: 8.1

This activity category includes all time spent preparing the proposed Plan and First Amended Plan filed by the Debtor, including but not limited to creating budgeting spreadsheets, drafting a liquidation analysis and reviewing valuations of property, legal research regarding plan provisions and possible confirmation issues, attending hearings and negotiations with Creditors and the Chapter 12 Trustee on the content of the Plan. These efforts, a consensual plan was agreed upon. Thereafter, the Debtors obtained confirmation of the Plan.

Schedule C

Detail Transaction File List Motschenbacher & Blattner LLP

Client	Trans Date	Tmkr	Stmt #	Hours to Bill	Amount	
Fees						
3940	11/30/2017	11	375	2.5	\$ 937.50	Multiple emails and telephone calls from D. Ricks regarding case information and strategy(.3); review case information (.3); review first day motions (.3); attend meeting with clients(1.1); revise and finalize petition for filing (.3); email to R. Vanden Bos and D. Ricks regarding filing (.2).
3940	12/01/2017	11	375	2.2	\$ 825.00	Review and revise first day motions; multiple emails to/from D. Ricks and client regarding first day motions and projected budgets (.4); conference call with client and D. Ricks regarding status and budget.
3940	12/04/2017	11	375	0.5	\$ 187.50	Review budget from client; telephone call to D. Ricks regarding same; review revised budget from client; email to D. Ricks regarding cash collateral motion.
3940	12/05/2017	11	375	1.2	\$ 450.00	Prepare for and attend hearing on First Day Motions (0.9); follow-up meeting with clients and R. Vanden Bos (0.3).
3940	12/06/2017	11	375	0.5	\$ 187.50	Draft order on payroll motion; email to R. Vanden Bos regarding same; email to G. Johnnie regarding same.
3940	12/07/2017	11	375	1.1	\$ 412.50	Multiple emails to/from G. Johnnie regarding financial and documentation questions (0.4); telephone call to G. Johnnie regarding same (0.2); emails to/from B. Vanden Bos and client regarding same (0.3); telephone call to D. Ricks regarding same (0.2).
3940	12/08/2017	11	375	1.7	\$ 637.50	Telephone call from G. Johnnie regarding cash collateral and bank transfer issues (0.2); telephone call to D. Ricks regarding same (0.2); multiple emails to client regarding updates (0.4); telephone call from client regarding G. Johnnie questions and wire transfer issues (0.3); draft employment motion and 2014 statement (0.2); telephone call from client regarding intake information (0.4).
3940	12/12/2017	11	375	0.3	\$ 112.50	Email from G. Johnnie regarding cash collateral; email from B. Vanden Bos regarding same; email to D. Ricks regarding same; email from/to S. Sobella regarding schedules questions.
3940	12/13/2017	11	375	1.2	\$ 450.00	Review email from G. Johnnie (0.2); email to D. Ricks regarding same (0.2); conference call with D. Ricks and T. Sexton regarding Farm Credit and Cash Collateral Order (0.5); telephone call to S. Sobella regarding intake questions (0.3).
3940	12/14/2017	11	375	1.2	\$ 450.00	Multiple emails from R. Vanden Bos regarding updates (0.3); emails to/from client regarding inventory and Kubota Credit request for information (0.3); email from C. McClurg regarding DIP account (0.2); conference call with D. Ricks and G. Johnnie regarding cash collateral (0.4).
3940	12/18/2017	12	315	0.8	\$ 252.00	Prepare for and attendance at cash collateral hearing.
3940	12/27/2017	11	375	2.9	\$ 1,087.50	Multiple emails to/from S. Sobella regarding schedules and trustee requests (0.6); conference call with S. Cobb regarding financial documents and schedules (0.3); telephone call to client regarding schedules (0.6); review documents from client and revise schedules (1.2); email to client regarding final approval of schedules (0.2);
3940	12/27/2017	12	315	0.4	\$ 126.00	Review cash collateral motion; emails with D. Ricks regarding same.
3940	01/03/2018	11	325	1	\$ 325.00	Attend 341(a) Meeting of Creditors.
3940	01/19/2018	12	315	0.4	\$ 126.00	Telephone conference with D. Ricks regarding employment motion issues; review and approve same.
3940	01/23/2018	12	315	1.1	\$ 346.50	Review monthly draft report (0.2); telephone conference with S. Sobella regarding issues with same (0.5); revise same (0.3); emails with C. Coyle regarding filing same (0.1).
3940	01/25/2018	11	375	0.8	\$ 300.00	Emails from G. Johnnie and R. Vanden Bos regarding CPA and financial information (0.2); review monthly operating report (0.2); conference with T. Sexton regarding same (0.2); email from T. Tingleaf regarding monthly statements (0.2)
3940	01/26/2018	11	375	0.2	\$ 75.00	Review email from client regarding statement questions.
3940	01/29/2018	11	375	0.2	\$ 75.00	Review email from G. Johnnie regarding payment question; email from T. Tingleaf regarding payment issue.
3940	01/30/2018	11	375	1	\$ 375.00	Attend telephone hearing regarding Motion for Reconsideration (0.3); follow-up call from B. Vanden Bos (0.2); email from B. Vanden Bos regarding order (0.2); emails from T. Tingleaf and V. Burdette regarding same (0.2).
3940	01/31/2018	11	375	0.4	\$ 150.00	Email from R. Vanden Bos regarding modified applications to employ; email from client regarding Jason Shuler.
3940	02/01/2018	11	375	0.2	\$ 75.00	Review order regarding 20-day creditors; email from R. Vanden Bos regarding same.
3940	02/05/2018	11	375	0.4	\$ 150.00	Review email from court regarding requirements and Atkins case; review Atkins case; review memo from S. Cobb regarding same.
3940	02/06/2018	11	375	0.3	\$ 112.50	Email from G. Johnnie regarding payment issue; telephone call from D. Ricks regarding same.
3940	02/08/2018	11	375	0.2	\$ 75.00	Review email from D. Ricks regarding payment.
3940	02/09/2018	11	375	0.4	\$ 150.00	Email from G. Johnnie regarding partnership issue; emails and conference with D. Ricks regarding same.
3940	02/11/2018	11	375	0.3	\$ 112.50	Email from client regarding reports; review same.

Schedule C

3940 02/13/2018	12	315	0.5	\$	157.50	Analyze issues with January report.
3940 02/13/2018	11	375	0.2	\$	75.00	Email from S. Sobella regarding projections; review report regarding same.
3940 02/15/2018	11	375	0.2	\$	75.00	Emails from R. Vanden Bos and client regarding IRS issues.
3940 02/21/2018	11	375	0.4	\$	150.00	Telephone call from B. Vanden Bos regarding Chapter 12 Plan; review code provisions regarding plan requirements and confirmation elements.
3940 02/23/2018	11	375	1	\$	375.00	Email from D. Ricks regarding monthly report (0.1); email to G. Johnnie regarding same (0.1); review lengthy objection email from G. Johnnie (0.3); review Chapter 12 Plan (0.3); draft email to B. Vanden Bos regarding same (0.2).
3940 02/26/2018	11	375	1.2	\$	450.00	Review Chapter 12 Plan and attachments (0.5); telephone call from R. Vanden Bos regarding strategy (0.2); emails to/from G. Johnnie regarding reports and zoning issues (0.2); emails from/to R. Vanden Bos regarding plan and zoning issue (0.3).
3940 02/27/2018	11	375	0.5	\$	187.50	Multiple emails with counsel regarding confirmation scheduling; email from client regarding equipment sales.
3940 02/28/2018	11	375	0.9	\$	337.50	Review multiple emails from G. Johnnie regarding relative embezzlement allegations and plan concerns (0.3); telephone call to client regarding same (0.3); emails from client regarding same (0.3).
3940 03/01/2018	11	375	0.6	\$	225.00	Review multiple emails from client, G. Johnnie and R. Vanden Bos; meeting with D. Ricks regarding strategy.
3940 03/05/2018	11	375	0.4	\$	150.00	Review emails and letter from G. Johnnie regarding Vanessa Sobella employment and patronage; emails from/to client regarding same; email to G. Johnnie regarding Vanessa employment; email to B. Vanden Bos regarding patronage.
3940 03/06/2018	11	375	0.2	\$	75.00	Email from S. Sobella regarding patronage; email to client regarding letter from G. Johnnie.
3940 03/16/2018	11	375	0.4	\$	150.00	Email from T. Tingleaf regarding monthly report; email to client regarding same.
3940 03/16/2018	11	375	0.4	\$	150.00	Review G. Johnnie email regarding objection to confirmation; email from B. Vanden Bos regarding same; email from client regarding reports.
3940 03/16/2018	12	315	0.3	\$	94.50	Conference with N. Henderson regarding monthly report issues.
3940 03/19/2018	11	375	1	\$	375.00	Email from R. Vanden Bos regarding monthly report (.2); review client documents and draft monthly reports(.3); telephone call to client regarding additional information(.2); revise figures for monthly report and email to client regarding same(.3).
3940 03/20/2018	11	375	0.5	\$	187.50	Emails from/to client regarding monthly reports; review and revise same; email to V. Burdette regarding monthly reports; email to G. Johnnie regarding same.
3940 03/23/2018	11	375	0.2	\$	75.00	Email from client regarding tax issues.
3940 03/27/2018	12	315	0.3	\$	94.50	Emails with R. Vanden Bos regarding extension of time to file objections
3940 03/29/2018	11	375	0.5	\$	187.50	Review multiple emails from R. Vanden Bos, G. Johnnie, V. Burdette, S. Martinez regarding amendments to Plan; email from R. Vanden Bos regarding amended plan; review amended plan; conference with T. Sexton regarding same.
3940 03/29/2018	12	315	0.3	\$	94.50	Review amended plan; emails with cocounsel regarding plan filing.
3940 04/02/2018	11	375	0.5	\$	187.50	Review multiple emails from R. Vanden Bos regarding OCP and hearing; review email from S. Martinez regarding OCP language; review email from client regarding information for projections.
3940 04/03/2018	11	375	1.8	\$	675.00	Meeting with clients and B. Vanden Bos regarding confirmation hearing (0.8); attend confirmation hearing (1.0).
3940 04/04/2018	11	375	0.2	\$	75.00	Attend telephone hearing regarding OCP provisions.
3940 04/12/2018	11	325	0.2	\$	65.00	Emails from/to G. Johnnie regarding reporting; email from G. Johnnie regarding payment calculation.
3940 04/16/2018	12	315	1.6	\$	504.00	Telephone conference with N. Henderson regarding employment application issues and nunc pro tunc analysis (.3) ; analyze nunc pro tunc issues (.9); prepare notice of filing (.4).
3940 04/17/2018	12	315	0.8	\$	252.00	Continue work on nunc pro tunc filing.
3940 04/18/2018	12	315	0.5	\$	157.50	Work on declaration regarding fees and nunc pro tunc application.
3940 04/18/2018	12	315	0.5	\$	157.50	Work on declaration regarding fees and nunc pro tunc application.
3940 04/18/2018	12	315	2.6	\$	819.00	Finalise Fees and Application for Compensation (.6); break out fees based on category(1.6); emails with client regarding Application(.2); emails with N. Henderson regarding declaration (.2)
Total for Fees	Billable	42.1	\$		15,121.50	
Expenses						
3940 11/30/2017	11			\$	275.00	United States Bankruptcy Court; filing fee
3940 12/31/2017	11			\$	61.18	Postage
3940 12/31/2017	11			\$	6.03	Westlaw; legal research
3940 12/31/2017	11			\$	0.60	PACER; court access
Total for Expenses	Billable	0	\$		342.81	
GRAND TOTALS						
	Billable	42.1	\$		15,464.31	
Timekeeper	Num					
N. Henderson	11					
T. Sexton	12					